

b) shaft is in the lowered position and the support deck is supported by the base frame when the support shaft is in the raised position; and

a locking member operably associated with the support shaft and configured to move between a first position in which the locking member prevents the support shaft from pivotally moving in at least a first direction from the lowered position to the raised position, and a second position in which the locking member allows the support shaft to pivotally move in at least the first direction from the lowered position to the raised position.

REMARKS

Reconsideration and reversal of the rejections expressed in the Office Action dated November 29, 2002 is respectfully requested in light of the following. Claims 6-9 and 20-34 are solicited. Independent claim 32 has been amended.

In the aforementioned Office Action, the Examiner rejected claims 32-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,663,048 to Ross, Jr., et al. Claims 32-34 were also rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,417,738 to Kendall.

The Ross patent discloses caster units 25 and 26 coupled to a cabinet 10. The caster units 25 and 26 each comprises an upper plate 27 which is secured to the lower right-hand surface of the bottom 18 of the cabinet 10 as by screws 28. A lower plate member 30 is hingedly connected to one side of the upper plate member 27, as at 31. The lower plate member 30 extends downwardly at an angle from the hinge point 31 and is provided with a flat portion 32 which is disposed in substantially parallel relation to the upper plate 27 when the caster unit is in the lowered or operative position (Fig. 2). A cam shaft 47 is held against longitudinal sliding movement in a bearing 44 and is provided with a pair of spaced cams 60 and 61. The location of the cam shaft 47 causes the greater portion of the cams 60 and 61 to be turned downwardly to engage the flat portion 32 of the plate 30 and to move the free edges of the plates 27 and 30 apart from each other. The caster rollers 40 and 41 then also move away from the upper plate 27 into an engagement with the floor F and lift the legs 20 to 23, inclusive, from an engagement with the floor F so that the cabinet is supported by the caster rollers.

The Kendall patent discloses a caster assembly as used in the framework of a pallet 10. The caster assembly comprises a pressure plate 44 to which a caster 34 is pivotably secured, and a hinge plate 48 which is secured to the framework by a pivotable mounting, such as a bolt and nut 32. The lower surface of the hinge plate 48 is secured to the pressure

plate 44 in a fixed fashion. The caster 34 is pivotably mounted on the lower surface of the pressure plate 44. By raising a handle portion 38 of lever means from the surface of the pallet to a position slightly past the vertical line (A) extending through a fulcrum point 40, the lever means pivots about point 40 and an engagement point 42 presses against the pressure plate 44 and acts to lower the wheel 34 as the hinge plate 48 pivots about its mounting 32. By operation of the lever means, the caster 34 is lowered below the lower surface 36 of the pallet 10 thus raising the pallet 10 off the surface.

Amended independent claim 32 recites a caster assembly for a bed including a support deck, a base frame, and an intermediate frame coupled to the base frame and configured to move vertically relative to the base frame, the caster assembly comprising a caster, and a support shaft coupled to the caster. Claim 32 now further recites that the support shaft is coupled to the intermediate frame for pivotable movement relative to a ground surface between a lowered position and a raised position, wherein the support deck is supported by the intermediate frame when the support shaft is in the lowered position and the support deck is supported by the base frame when the support shaft is in the raised position. Amended claim 32 further recites a locking member operably associated with the support shaft and configured to move between a first position in which the locking member prevents the support shaft from pivotally moving in at least a first direction from the lowered position to the raised position, and a second position in which the locking member allows the support shaft to pivotally move in at least the first direction from the lowered position to the raised position.

It is respectfully submitted that neither the Ross patent nor the Kendall patent provide any teaching or suggestion of providing the elements recited in amended claim 32. More particularly, these references fail to provide any teaching or suggestion of a caster assembly for a bed including a support deck, a base frame, and an intermediate frame coupled to the base frame and configured to move vertically relative to the base frame, the caster assembly including a support shaft coupled to the intermediate frame for pivotal movement relative to the ground surface between a lowered position and a raised position, wherein the support deck is supported by the intermediate frame when the support shaft is in the lowered position and the support deck is supported by the base frame when the support shaft is in the raised position.

Given the lack of teaching or suggestion of the elements now clearly recited in amended claim 32, it is respectfully submitted claim 32, and dependent claims 33 and 34, are in condition for allowance.

Applicants gratefully acknowledge the Examiner's allowance of claims 6-9 and 20-31.

In view of the foregoing, it is respectfully submitted that all of the solicited claims are in proper condition for allowance. Such action is respectfully requested.

The Examiner is invited to contact the undersigned at the telephone number provided below should any questions or comments arise during the course of reconsideration of this matter.

Respectfully submitted



Douglas A. Yerkeson
Reg. No. 39,882

Indianapolis, Indiana 46204
(317) 684-5000

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APPENDIX

MARKED-UP VERSION SHOWING CHANGES

IN THE CLAIMS

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Please amend claim 32 as follows.

32. (Amended) A caster assembly for a bed including a support deck, a base frame, and an intermediate frame coupled to the base frame and configured to move vertically relative to the base frame, the caster assembly comprising:

a caster;

a support shaft coupled to the caster and [supported] coupled to the intermediate frame for pivotal movement relative to a ground surface between a lowered position and a raised position, wherein the support deck is supported by the intermediate frame when the support shaft is in the lowered position and the support deck is supported by the base frame when the support shaft is in the raised position; and

a locking member operably associated with the support shaft and configured to move between a first position in which the locking member prevents the support shaft from pivotally moving in at least a first direction from the lowered position to the raised position, and a second position in which the locking member allows the support shaft to pivotally move in at least the first direction from the lowered position to the raised position.